

# In The United States Court of Federal Claims

No. 08-700C

(Filed: November 9, 2012)

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JAY ANTHONY DOBYNS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## **ORDER**

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On November 8, 2012, a telephonic status conference was held in this case. Participating in the conference were James Bernard Reed, for plaintiff, and David Allen Harrington, for defendant. Pursuant to discussions during the conference, the court adopts the following schedule:

1. On or before January 16, 2013, the parties shall have the Meeting of Counsel and exchange exhibits and information on witnesses, including expert witnesses, to be used at trial. *See* RCFC, Appendix A, ¶ 13(a) and (b);
2. On or before February 19, 2013, plaintiff shall file:
  - a. Its Memorandum of Contentions of Fact and Law, containing a summary of plaintiff's basic factual contentions, together with any applicable legal authority. *See* Appendix A, ¶ 14(a);
  - b. A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;
  - c. A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16;

- d. Any motions *in limine* based on information available to date;
3. On or before April 1, 2013, defendant shall file:
  - a. Its response to plaintiff's Memorandum of Contentions of Fact and Law. *See Appendix A, ¶ 14(b);*
  - b. A separate statement setting forth a list of witnesses to be called at trial, pursuant to Appendix A, ¶ 15;
  - c. A separate statement setting forth a list of exhibits to be offered at trial, pursuant to Appendix A, ¶ 16;
  - d. Its response to plaintiff's motions *in limine*;
  - e. Any motions *in limine* it intends to file;
4. On or before April 22, 2013, plaintiff shall file:
  - a. Its response to defendant's motions *in limine*;
  - b. Any motions *in limine* prompted specifically by defendant's April 1, 2013 filings;
5. A pre-trial conference will be held on May 17, 2013, at 10:00 a.m. (EDT) at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be posted in the lobby on the day of the pre-trial conference; and
6. Trial in this case will commence on June 10, 2013, in Tucson, Arizona – the length of the trial to be determined after the court receives Appendix A filings from both parties.

**IT IS SO ORDERED.**

s/Francis M. Allegra  
Francis M. Allegra  
Judge